



Docket No. 24180-0027007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of Hodson, et al.

U.S. Patent Application Serial No.  
09/925,560

Filed: August 9, 2001

For: Tear Tape For Plastic Packaging

Examiner: N. Bhat

Group Art Unit: 1761

**TERMINAL DISCLAIMER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pechiney Emballage Flexible Europe, the owner of a 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,316,036. Pechiney Emballage Flexible Europe hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Pechiney Emballage Flexible Europe does not disclaim the terminal part of any patent granted on the instant application that would extend to the

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expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

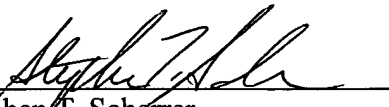
Please charge the terminal disclaimer fee of \$110.00 under 37 CFR 1.20(d) and any other fee under 37 CFR 1.16 or 1.17 that is required due to this communication to Deposit Account No. 13-0206. A copy of this document is enclosed.

Respectfully submitted,

**McDERMOTT, WILL & EMERY**

Date: January 28, 2004

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